

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

ROBERT D. ARMSTRONG f/k/a Robert	)	
D. Swan; and JOHN D. ARMSTRONG	)	
f/k/a John D. Swann,	)	
Plaintiffs	)	No. 3-08-0974
	)	
v.	)	
	)	
STRUCTURED BENEFITS OF	)	
FLORIDA,	)	
Defendant	)	
and	)	
	)	
SYMETRA LIFE INSURANCE CO.	)	
f/k/a Safeco Life Insurance Company;	)	
TRAVELERS CASUALTY & SURETY	)	
CO.; TRAVELERS INDEMNITY	)	
COMPANY; and PACIFIC LIFE	)	
INSURANCE CO., <sup>1</sup>	)	
Defendants/Third-Party Plaintiffs	)	
	)	
v.	)	
	)	
BEVERLY ARMSTRONG; and BOB	)	
ARMSTRONG,	)	
Third-Party Defendants	)	

ORDER

On September 30, 2010, third-party defendants Bob and Beverly Armstrong filed a motion to dismiss or, alternatively, to remand to state court (Docket Entry No. 104).

In accord with the order entered May 10, 2010 (Docket Entry No. 50), any response to the pending motion shall be filed by October 21, 2010. Any reply, if necessary, shall be filed within 14 days of the filing of any response or by November 4, 2010, if the response is filed on October 21, 2010.

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<sup>1</sup> By order entered May 17, 2010 (Docket Entry No. 52), Travelers Casualty & Surety Company was substituted for Aetna Casualty & Surety Co., as originally named in the complaint, and Travelers Indemnity Company was substituted for St. Paul Travelers Casualty & Surety Co., as originally named in the complaint.

After review of the parties' joint mediation report to be filed by November 12, 2010, as provided in the order entered September 13, 2010 (Docket Entry No. 95),<sup>2</sup> the file will be forwarded to the Honorable John T. Nixon, as appropriate, for his consideration of the pending motion, any response, and any reply.

It is so ORDERED.

  
JULIET GRIFFIN  
United States Magistrate Judge

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<sup>2</sup> In their motion for extension of time (Docket Entry No. 100), the Armstrongs indicated that they remain willing to participate in the mediation scheduled on November 9, 2010.